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11 UNITED STATES DISTRICT COURT  
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
13

14 WILLIAM B. COWEN, Regional  
Director of Region 21 of the National  
15 Labor Relations Board, for and on  
behalf of the NATIONAL LABOR  
16 RELATIONS BOARD,

17 Petitioner,

18 v.

19  
20 JACMAR FOODSERVICE  
DISTRIBUTION,  
21

22 Respondent.  
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26  
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Civil No. 2:17-CV-03929

STIPULATION OF DISMISSAL WITH  
PREJUDICE

Judge: Honorable Dolly M. Gee

Courtroom: 8C, 8<sup>th</sup> Floor, First Street  
Courthouse

No hearing date requested

1                   **Background**

2           1. On May 25, 2017, Petitioner William B. Cowen, Regional Director of  
3 Region 21 of the National Labor Relations Board (herein NLRB), for and on  
4 behalf of the NLRB, petitioned the Court for a temporary injunction in this matter  
5 under 29 U.S.C. Sec. 160(j)(herein Petition), pending final determination of the  
6 charges filed with the NLRB by Food, Industrial & Beverage Warehouse, Drivers  
7 and Clerical Employees, Teamsters Local 630, International Brotherhood of  
8 Teamsters (herein Union), against Jacmar Foodservice Distribution (herein  
9 Respondent).

10           2. On June 2, 2017, Respondent filed its Opposition to the Petition.

11           3. On June 9, 2017, Petitioner filed its Reply to Respondent's Opposition to  
12 the Petition.

13           4. A hearing before the Court regarding the Petition is currently scheduled  
14 for June 23, 2017.

15                   **Recent developments**

16           5. On June 20, 2017, Respondent entered into an NLRB informal  
17 settlement agreement resolving the Section 8(a)(1) and (3) unfair labor practice  
18 allegations in the underlying administrative proceeding before the NLRB. On  
19 June 21, 2017, the Union entered into the same informal settlement agreement.  
20 On June 21, 2017, the Regional Director of Region 21 of the NLRB approved the  
21 informal settlement agreement.  
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23                   **Discussion**

24           6. The informal settlement agreement signed by all relevant parties renders  
25 the Petition moot.

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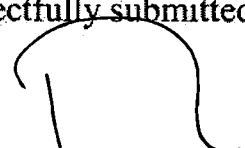
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**Conclusion**

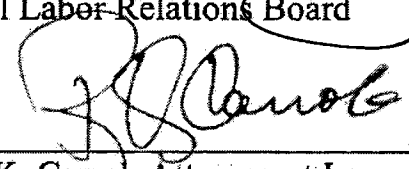
7. Accordingly, and under Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the parties hereby stipulate to the dismissal of this action, with prejudice. Each party is to bear its own fees and costs.

Respectfully submitted,

Dated: 6/21/17

By:   
Robert MacKay, Field Attorney  
Attorney for Petitioner  
National Labor Relations Board

Dated: 6/21/17

By:   
Robert K. Carrol, Attorney at Law  
Attorney for Respondent  
Jacmar Foodservice Distribution